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IN THIS DOUBLE ISSUE

Special Double Issue: Human Trafficking in the Western Hemisphere

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Marita Verón: A Catalyst in the Fight Against Sex Trafficking in Argentina

On April 3, 2002, twenty-three year-old Marita Verón was kidnapped in the northeastern Argentine province of Tucumán. Her mother, Susana Trimarco, and father, Daniel Verón, who passed away in 2010, swore to do everything in their power to find their daughter. More than ten years later, Ms. Verón is still missing; however, the brave and relentless efforts of Ms. Verón's parents have led to significant progress in the fight against human trafficking in Argentina. Those achievements include the passing of various anti-human trafficking laws; the rescue of almost 3,500 victims of human trafficking (also referred to as modern-day slaves); and the prosecution of Ms. Verón's kidnapers.

According to the 2012 Trafficking in Persons (TIP) Report, "Argentina is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor." Most victims of domestic sex trafficking are taken from rural areas, the majority coming from Argentina's northern provinces, and forced into prostitution in urban centers or in the wealthier central and southern provinces. Argentines are not the only victims of this deplorable crime. Foreign women and children from countries including Paraguay, Bolivia, Peru, and the Dominican Republic have also been subjected to sex trafficking in Argentina. The geographic location and international presence of Argentina make it an important transit point for the trafficking of foreign and domestic women and children into Chile, Brazil, Mexico, and Western Europe for commercial sexual exploitation.

In its 2012 TIP Report, the U.S. State Department ranked Argentina as a Tier 2 nation, grouping it with other countries that have made important progress toward compliance with the minimum standards for the elimination of human trafficking. However, there is still much work to be done by the Argentine government to achieve Tier 1 status. In order to better comprehend the current situation of human trafficking in Argentina, this analysis will consider Ms. Verón's high-profile case, discuss the overall context of Argentine sex trafficking, and present policy recommendations for furthering the fight against human trafficking in Argentina.

Marita Verón: Drawing Attention to a National Issue

With a storyline worthy of a major motion picture, Ms. Trimarco's decade-long search for her daughter Marita Verón has taken her from police stations to human trafficking gangs to brothels. When Ms. Verón did not come home on April 3, her parents became worried and reported her absence to the police. For several days the police had no leads regarding Ms. Verón's whereabouts until finally they found someone who had seen three men push her into a van. Following this tip, the police were able to gather sufficient evidence to raid a brothel where Ms. Verón was suspected to have been held. Ms. Trimarco described the raid to *BBC Mundo*:

There were about 60 women, all scantily dressed. Marita was not among them. I told these women that whoever was there against their will, they should step forward and come with us. Immediately a young girl rushed into my arms and did not let me go until we left that place.

The girl, Anahi, provided crucial information regarding Marita's whereabouts, explaining that Ms. Verón had passed through the brothel but had been moved to a different location. After her rescue, Anahi lived with Ms. Trimarco and received psychological and legal aid until she was able to return to her family. She even served as a key witness in Ms. Verón's kidnappers' trial which will conclude on November 27.

Using the information provided by Anahi, Ms. Trimarco went undercover in human trafficking gangs, posing as a recruiter of women. She also visited a Tucumán brothel where she witnessed women and girls as young as fourteen being sold as property. After returning to the same brothel three more times, Ms. Trimarco collected sufficient evidence to warrant police intervention, resulting in the rescue of 129 women, many of whom were later lodged by Ms. Trimarco in her own home.

Since her daughter's kidnapping, Ms. Trimarco has also founded her own organization, Fundación María de los Ángeles, that promotes anti-human trafficking legislation, mainly in the commercial sex industry, and provides free assistance to victims – such as legal aid and counseling. The non-profit organization's work has directly led to the rescue of over 400 female victims of sex trafficking and to the filing of 800 court cases. Based on her fearless humanitarian efforts, which include a fearless public stance against human trafficking as well as aid for victims of sex trafficking, Ms. Trimarco was nominated for the 2012 Nobel Peace Prize.

A Brutal Business

Unfortunately, Ms. Verón is just one example of a much wider-reaching, brutal pattern of women being abducted and forced into the commercial sex trade in Argentina. According to Head Prosecutor Marcelo Colombo of the Argentine Public Ministry's Kidnapping, Extortion, and Trafficking in Persons Unit (UFASE), this *modus operandi* is one of the most common ways that prostitution rings recruit victims. First, a scout identifies a potential victim that fits the ring's profile. Next, a transporter or recruiter either makes a misleading promise or he plans a kidnapping, as in Marita Verón's case. In the deception strategy, a recruiter approaches a target with an employment offer either in her country or abroad with paid transportation, all necessary travel and identification documents, and a welcome crew at her destination. However when the victim arrives, she quickly discovers that the legitimate job opportunity does not exist and is forced into

prostitution in order to pay her travel debt to the traffickers. After the victim is in the ring's control, whether by kidnapping or fraud, she goes through a "cooling off period" during which she is drugged and subjected to extreme brutality that normally includes threats, beatings, torture, and rape.

Various factors lead to this kind of cruel abuse of women in Argentina, but the main incentive is financial. According to the Argentine Director General of the Disappeared Persons Register, Dr. Raúl A. Schnabel, human trafficking is the second most profitable illegal business in the world, and it is quickly catching up to the long-time



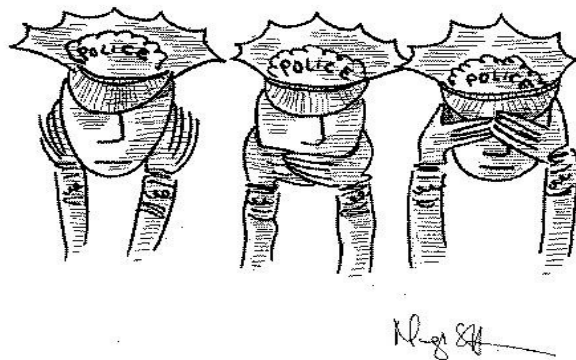
leader, drug trafficking. The Argentina Independent reports that trafficking in persons may have even surpassed the narcotics trade as the most lucrative illicit business in the world, with an estimated turnover of \$32 billion USD. Human trafficking is particularly profitable in the commercial sex industry for two reasons: the product is not a consumable good and the "employees," the prostitutes, receive little, if any, of the revenue. In other words, in the eyes of the traffickers, women are simply reusable goods that can be bought, manipulated, and sold repeatedly until they are no longer of use to the trafficker.

"Prevention, Protection, and Prosecution"

Thanks in large part to efforts by Susana Trimarco and her organization, Argentina has made large strides in its fight against human trafficking. Through the use of state-sponsored mass media campaigns that expose the brutal reality of sex trafficking, Argentina has put into action recommendations of Article 9 of the U.N.'s "Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children." The portrayal of the commercial sex industry as a human rights violation—the inhumane work environment and the restrictions of personal freedoms—plays an essential role in the prevention of human trafficking. It helps change society's perception from the distorted idea that all prostitutes have the freedom to choose that line of work to the realization that many prostitutes are victims of modern-day slavery. Nevertheless, there is still room for improvement; the Argentine government as well as nongovernmental human rights organizations must address significant weaknesses in their current anti-human trafficking policies, especially regarding the protection of victims and the prosecution of traffickers.

Although Argentina has taken steps toward providing protective services to victims, many NGOs, including Ms. Trimarco's, as well as several international organizations, report that government-provided resources for victims are insufficient in comparison to the large number of identified victims. According to InSight Crime, Argentine law enforcement rescued over 700 victims of human trafficking, mostly composed of women and children, in the first seven months of 2012. However, the nation does not currently have the structure or resources to provide adequate post-rescue assistance as there are only five shelters throughout the entire country for victims of sex trafficking. Furthermore, Argentina does not have a program that facilitates the process of obtaining permanent Argentine residence in order to protect international victims of trafficking. An astonishing 63 percent of victims who were referred to the Argentine Secretariat for Childhood, Adolescence, and Family (SENAF) for follow-up assistance were returned to their home country while only three percent stayed and asked for aid. It is unclear whether victims received sufficient information regarding their post-rescue options before their repatriation. According to the U.S. State Department's report, the Argentine government has rarely provided victims with information regarding care and assistance in their home communities. Argentine legislators should consider enacting a program that protects international victims of trafficking similar to the U.S. trafficking T-visa, developed as part of the 2000 Trafficking Victims Protection Act and improved in 2005 with the Violence Against Women Act. The U.S. T-visa aids victims in two main ways: it improves access to permanent residency for international trafficking victims and it aids the immigration of family members abroad who may be at risk or threatened by the victim's traffickers in her home country.

Still, it is essential that Argentina continues to improve its current anti-trafficking law enforcement efforts. Despite increases in human trafficking prosecutions and convictions in 2011, corruption and poor coordination between the various levels of law enforcement and government have hindered the nation's progress. A proposal by the U.N. Office on Drug and Crime in its report "The Role of Corruption in Trafficking in Persons" streamlines both problems into one: a lack of communication among opponents of human trafficking. One of the main reasons that corruption continues is a "general lack of awareness as to which agencies and actors are de facto identifying the links between corruption and trafficking in persons in their daily work." Often individuals who have direct contact with victims or traffickers – such as NGOs, the media, and some officials – are able to gather information regarding corrup-



tion through their normal line of work. Despite their access to information, those professionals, as well as anti-corruption officials, often do not know each other or even where to direct their information, leading to inefficient or nonexistent prosecutions of corrupt officials. Also, lack of coordination is evident within the government as traffickers are investigated or prosecuted at a local level

even though trafficking is a federal offense, resulting in confusion and significant delays in the judicial process.

As Argentina advances toward Tier 1 status with new legislation, national awareness campaigns, and victim assistance, the nation – including both the government and NGOs – must focus on improving collaboration among opponents of human trafficking. Government initiatives encouraging cooperation among anti-human trafficking groups of all levels and affiliations is essential to ending modern-day slavery both in Argentina and in the rest of the world.

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Guyana's Unacceptable Stance on Human Trafficking

The Co-operative Republic of Guyana, like some of its Latin American neighbors, has witnessed a significant increase in cases of human trafficking since the beginning of the decade, due in large part to its key geographic location. According to human trafficking reports issued by the U.S. Department of State between 2005 and 2012, Guyana is a major source country for the trafficking of men, women, and children in the prostitution and forced labor industries. The reports acknowledge the Guyanese government's efforts to combat the issue, citing the Trafficking of Persons Act of 2005, which prohibits all forms of trafficking and prescribes penalties for violators. However, the State Department describes these efforts as minimal and by no means strong enough to eliminate human trafficking altogether.

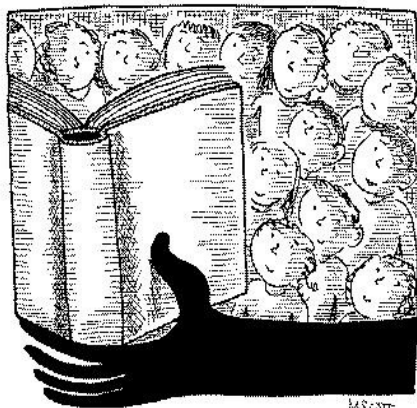
As a response to U.S. criticism, Guyana produced its own report last year, which contends that the country has made considerable efforts to combat trafficking in persons. The document asserts that the Ministerial Task Force on Trafficking in Persons would continue to pursue comprehensive programs to respond to the issue, though there may not be much need for additional efforts. In May, Guyana's Human Services and Social Security Minister, Jennifer Webster, acknowledged that there are instances of Trafficking in Persons (TIP) in Guyana, but maintained that the issue had been blown out of proportion by the media.

This analysis will examine the magnitude of human trafficking in Guyana by identifying the groups that are most vulnerable and the manner in which the Guyanese government has dragged its feet on what is widely characterized as modern-day slavery.

A Trafficking-Inducing Environment

With a population of approximately 750,000, Guyana is the smallest nation in South America and the only mainland member state of the Caribbean Community (CARICOM). The country is comprised of low coastal plains, hilly sand and clay areas, highland regions, and interior savannas. The nation's topography makes the movement of materials, personnel, and machines both difficult and costly, and the hinterland areas are almost unknown to most Guyanese who live along the coast. Lack of communication with the interior, and the resulting absence of adequate health facilities, education opportunities, and other important social services are the largest obstacles to the sustainable development of the country's remote regions.

Despite an abundance of natural resources such as gold and timber, one-third of Guyana's population lives in absolute poverty, surviving on less than two dollars per day.



This is especially true in the hinterland communities, which are the poorest in the country. Approximately 90 percent of the hinterland region is populated by poor Amerindians who, despite the nation's rapid modernization, remain primarily engaged in agriculture, mining,

and small-scale industry. Their access to education and health care is limited, seriously affecting the overall quality of life in these areas. The Guyanese government has only recently started to invest in projects designed to improve the nation's infrastructure and, perhaps more important, to close the gap of economic inequality between the coast and hinterland areas. Although there have been some apparent improvements, socio-economic disparity greatly contributes to the strong presence of human trafficking in the country, which according to USAID thrives in "conditions of poverty, desperation, discrimination, corruption, and political conflict." Although human trafficking activity does occur in urban communities, in Guyana it generally takes place in the hinterlands where there is little government oversight and weak law enforcement.

The Scope of the Problem

The Department of State's 2005 Human Rights report indicates that trafficking victims are typically promised legitimate jobs as cooks, restaurant servers, and domestic helpers. Once they are lured into the business, they are relegated to barrack-style housing and often kept as prisoners. The victims are mainly women who are controlled through debt-bondage, intimidation, and physical abuse. They are at high risk of contracting sexually transmitted diseases, undergoing unsafe abortions, and receiving severe injuries including vaginal and rectal tears as well as bone fractures. However, in addition to trafficking for prostitution purposes, the country's experts have also identified exploitative child labor practices within the mining, agriculture, and forestry industries. The limited government presence in Guyana's vast interior regions, combined with profits from gold mining and the prostitution that accompanies the industry, has created conditions conducive for trafficking.

In Guyana, the lack of general public awareness of human trafficking presents a serious obstacle in dealing with the issue. It has encouraged and reinforced the government's attitude of ignorance and refusal to adequately recognize human trafficking as a problem in the country. If citizens are not actively involved in combating this issue, the government has little incentive to address it.

The U.S. Department of State's 2012 TIP report claims that the government's minimizing [of] the existence of human trafficking has hindered the progress of trafficking awareness campaigns, which were largely donor driven and funded in Guyana. In addition, observers who are actively fighting human trafficking have complained that there is not sufficient research done on the subject. According to anti-trafficking specialist Laura Langberg, the Latin American and Caribbean regions are two of the most under-researched and under-funded regions in the world with regard to trafficking of persons.

In the eyes of the Indo-Afro Guyanese population, which represents the majority in all political parties and authorities, human trafficking is a problem exclusive to indigenous groups. The lack of general public awareness about this growing issue among non-indigenous groups leads to institutional resistance against forging effective legal measures to eliminate trafficking practices. Already, the Guyanese government has openly claimed that human trafficking is not the country's most pressing problem. Trafficking victims in Guyana face further obstacles in appealing to authorities: retribution from trafficking offenders, arrest, and personal lack of awareness that human trafficking is a crime. Human traffickers on the other hand receive financial benefits with minimal risk, since trial processes are generally very slow and lengthy.

According to the 2012 Department of State TIP report, there were few, if any, prosecutions of trafficking offend-

ers in the previous reporting periods. The report expresses concern about the lack of accountability for trafficking offenders in Guyana as well as the lack of rescue efforts to help victims. Only 10 victims were identified: nine were female and one male— five were younger than 15. Three of the victims were sexually exploited, four worked in commercial enterprises, and three were domestic servants. According to the Combating Trafficking of Persons Act of 2005, the Guyanese government prohibits all forms of trafficking, prescribing penalties ranging from three years to life imprisonment. Penalties are not specific to human trafficking crimes but are simply equivalent to those for other serious offenses such as rape. In addition, most human trafficking cases are tried in the lower courts leading to the dismissal of a large percentage of cases. The Department of State described this as a lack of rigor in the country's legal system.

The Government's Successful Efforts

Obtaining information on trafficking in Guyana is extremely difficult, which makes it almost impossible to accurately estimate the magnitude of the problem. The lack of sufficient data and the absence of formal procedures in identifying and protecting victims have discouraged officials from working on human trafficking cases. However, the Guyanese government made some progress when it signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, which is part of the U.N. Convention against Transnational Organized Crime adopted by the General Assembly in 2000. Countries that acceded to this Protocol bound themselves to criminalizing all trafficking offenses, providing assistance and protection for victims, promoting mutual cooperation and information sharing, and seeking to apprehend traffickers and bring them to justice.

One of Guyana's most important government strategies in combating human trafficking has been the formation of the Inter-Agency National Task Force and the development of the National Plan of Action. The government asserts that the Task Force has reviewed the National Plan for the prevention of trafficking in persons, coordinated the implementation of the plan, and instituted the collection and sharing of trafficking data among government agencies. The Task Force's main goal is to identify and engage in efforts to facilitate cooperation with foreign countries, particularly the neighbors that are significant sources of victims, such as Suriname. In addition, the Task Force seeks to establish policies that would enable the government of Guyana to collaborate with non-governmental organizations on this issue. Guyana has received significant financial assistance from various international organizations to support its efforts to combat the challenges posed by human trafficking. In May, the United Nations Development Program contributed a \$75,000 USD grant to Human Services Minister Jennifer Webster. The grant is intended to strengthen the ongoing efforts of the Ministry toward pub-

lic awareness, particularly in the country's most vulnerable areas.

In addition, the National Development Strategy from 2001 to 2010 has recognized the weakness of the education facilities in the hinterland due to a lack of essential equipment and a critical shortage of qualified teachers. Instructors are often not familiar with Amerindian traditions and do not possess the appropriate skills to blend education with this particular culture. The government has only recently begun to invest more heavily in education. It has provided secondary and technical education scholarships for hinterland residents who otherwise would not be able to access higher-level education in their communities, potentially fostering further integration of hinterland students into Guyanese society. The average enrollment in the program is 225 students, with a yearly intake of approximately 60 students who are placed in various schools according to their personal interests.



Another important government funded program is the Hinterland Development Program, which is being installed in four hinterland regions ranked as the highest in terms of poverty and marginality among Guyana's ten regions. Its long-term goal is to provide a means for the hinterland population to achieve economic development and significantly contribute to the country's overall advancement.

Guyana has also started to finance more infrastructure projects. In 2011, \$20 billion USD was invested in road construction in the Hinterland, in an attempt to link Amerindian communities to urban/coastal centers of commercial and social activities. In addition, the government is striving to meet the United Nations Millennium Development Goals, including ensuring sustainable access to safe drinking water for its citizens by 2015. Similarly, the Hinterland Electrification Project has distributed 11,000 solar panels to Amerindian communities to connect them to the national power grid.

Conclusions and Recommendations

The government of Guyana has clearly started to invest in long-term solutions to the issue of human trafficking by means of education reform as well as economic and infrastructure development in the hinterland communities. However, not much has been done to promote awareness

of human trafficking among politicians and civil society. Many Guyanese officials seem unwilling to discuss the issue, a hesitation that may stem from a fear of presenting the country in a negative light. Such an attitude hinders future progress since it labels human trafficking as a minor offense and leads to ineffective laws and inadequate regulation.

Though the educational and infrastructure programs in the Guyanese hinterland communities represent important preventative measures, more must be done to increase general public awareness about this pressing issue that affects the entire hemisphere. Residents of the hinterlands should be educated about basic human and labor rights, since in some cases a lack of information can lead an individual to unwittingly become a victim of human trafficking. In addition, citizens must be encouraged to report individuals or groups who may be involved in human trafficking.

As the country has begun to invest in building roads and boosting development in remote regions, government oversight throughout the country should be even more prevalent. In order to achieve desired results, however, collaboration and cooperation among the government, non-governmental organizations, neighboring governments, and the Guyanese public must become the standard and not the exception. Guyana is on the right track, but a lot remains to be done, starting with facing the problem of human trafficking both directly and openly. The Guyanese government and its citizens must do everything in their power to eliminate this gross human rights violation and the resultant stigma surrounding trafficking victims.

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Closer to Home: Human Trafficking in the USA

Human trafficking might seem like a fairly distant problem to many U.S. citizens, as few hear about it on television or read about it in the daily news. However, recent cases of human trafficking for commercial sex exploitation that have occurred just outside the nation's capital, in both northern Virginia and Maryland, provide a potential wake up call to the many who sit idly by, while a major human rights violation unfolds at home and around the globe.

Last month, a member of MS-13, a Salvadorian gang based in the United States, was arrested for child sex trafficking, a crime which carries a minimum penalty of ten years to potentially life in prison. The suspect, Jonathan Adonay Fuentes, was accused of forcing underage victims into prostitution in Northern Virginia. As the U.S. Attorney for the Eastern District of Virginia, Neil MacBride, revealed, Fuentes was the twelfth MS-13 gang member charged with child sex trafficking.

The fact that the prostitution ring, involving teenage/underage girls, operated in one of the wealthiest parts of

the United States is alarming and shifts the general perception about the geography of human trafficking. Additionally, these cases of human trafficking took place in one of the most developed countries in the world, thus this human rights violation is clearly not just a problem of the global south but rather a worldwide issue.

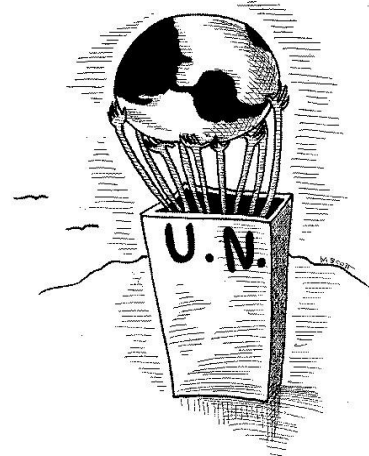
Defining the Problem

The most agreed upon definition of the term human trafficking, or trafficking in persons, is provided by the United Nations in Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons. In this article human trafficking is defined as:

The recruitment, transitions, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

Strictly speaking, human trafficking is the forced transportation and exploitation of a person with a goal of profiting from such action. Human trafficking is distinguished from acts of smuggling and prostitution by one decisive aspect: human trafficking involves the *involuntary* transportation of a victim from a country of origin to another country (international human trafficking), or within one country (domestic trafficking). While trafficked persons are threatened, transported and forced into servitude, smuggling is mainly defined as the illegal displacement of an immigrant across an international border with his/her consent and for a pre-paid fee. Because trafficking in persons (TIP) occurs with the use of force, coercion or threat, human trafficking is also referred to as twenty-first century slavery.

A recent article published by *The Guardian* illustrates how easy it is to make a mistake when using the term 'human trafficking.' In her article, Melissa Gira Grant cites data from the International Labor Organization (ILO), stating that "over three-quarters of the people around the globe estimated to be in forced labor are not involved in "forced



sexual exploitation.” This fact supposedly supports her argument that a much larger portion of trafficking victims are being used for forced labor rather than for commercial sex. After publishing the article, the editor of *The Guardian* himself had to make a clarification that the ILO survey referred to victims of forced labor and only might include trafficking victims, but does not specify if it does or how many. The U.N. definition acknowledges no less than five types of exploitation of trafficked persons: sexual exploitation, forced labor, slavery, servitude and the removal of organs. It is obvious that in speaking about TIP, one must consider the wide scope of the problem as well as the various circumstances of victim’s involved. From this, it could be suggested that a single solution will not suffice; rather a series of reforms will be necessary.



The Extent of the Problem

Understandably, it is difficult to determine the exact number of trafficked victims in the world. To prove that someone was forced into prostitution against his or her will is complicated by the existence of “improper” victims, who may themselves have committed a crime in the past, according to Joy Ngozi Ezeilo, U.N. special rapporteur on TIP.

The U.N. Global Initiative to Fight Human Trafficking, an umbrella organization of governments, corporations, civil society, media and academia, estimates that over 2.5 million people worldwide are in forced labor (including sexual exploitation) as a result of trafficking. The use of force by traffickers is essential to the clear distinction between acts that qualify as TIP and those that do not, as evidenced by the 95 percent of trafficking victims who suffer physical or sexual violence. According to the same U.N. Initiative, 43 percent of victims are used for forced commercial exploitation and about 32 percent are subjected to forced economic exploitation.

To understand the roots of the TIP problem, it is helpful to take a look into the various contributing factors. The Congressional Research Service’s (CRS) “Report for Congress” from 2005, which focused on human trafficking, cited “individual and outside circumstances” as critical factors. Individual circumstances, which vary depending on the victim, can range from poverty and unemployment to a history of sexual and physical abuse and gang membership. Outside circumstances include, but are not limited to, high global demand for domestic servants, agricultural laborers, and sex workers, existence of established trafficking networks with sophisticated recruitment methods, and limited economic opportunities for women.

The CRS’s report introduces the existence of so-called “push” and “pull” factors. These factors play an important role in understanding why victims are trafficked into the United States. “Push” factors are tendencies that force people to take risks in order to fulfill their goals, emphasize on short-term rewards, and a lack of family support and/or strong social networks. On the other hand, the “pull” factor is defined as “the hope of finding economic opportunity abroad, which is fueled by a television and Internet image of wealth in the United States.”

In reference to Latin America, where 174 million people still live in poverty, with 70 million living in extreme poverty, it is clear why certain parts of society are more susceptible to trafficking than others. High levels of economic development in countries like the United States produce greater incentives for inflow of trafficked persons, as is evidenced by the high global profits created by human trafficking, 49 percent of which are generated in industrialized economies.

Latin America and the U.S. Department of State TIP Report

The U.S. State Department’s latest report on trafficking in persons (TIP) provides an analysis of the situation in nearly every country around the world. This comprehensive system of evaluation of government actions and general performance in combating TIP began after the adoption of the Trafficking Victims Protection Act (TVPA) in 2000 under the Clinton administration. The annual TIP report gives a grade, or a tier rating, to each country based on its compliance with minimum standards for the elimination of trafficking set by the U.S. State Department. This rating system includes three main points. First, the government is required to prohibit harsh forms of TIP and penalize acts of such trafficking. Second, it should request the punishment equal to the gravest crimes, such as a forcible sexual assault. Third, serious and sustained efforts should be made by the government to eliminate severe forms of TIP. The evaluation ranges from Tier 1, the level that indicates almost complete compliance, to Tier 3, which refers to “governments who do not comply with the minimum standards and are not making significant efforts to do so.”

From a comparison of the 2005 and 2012 reports on human trafficking, it is clear that Latin American countries have improved dramatically in this respect. In 2005, Latin America had a higher percentage of Tier 3 countries than any other region in the world. Currently, only Cuba remains in the lowest tier. Several Latin American countries remain on the Tier 2 Watch List, which includes countries whose governments do not fully comply with the TVPA’s minimum standards, but are making significant efforts to

achieve compliance. The Tier 2 Watch List includes seven countries from the Western Hemisphere: the Bahamas, Barbados, Ecuador, Haiti, Jamaica, Suriname, and Venezuela. The difference between the Tier 2 Watch List and Tier 3 is significant, as Tier 3 countries do not receive support from USAID. It must be mentioned that the United States had been previously accused of misusing the Tier system in order to punish some countries by denying humanitarian aid via USAID. It is hard to believe that political determinations are not, in large part, responsible for Cuba remaining at the Tier 3 rating.

Since a majority of the trafficked victims entering the United States come from the Latin America and the Caribbean (about 62 percent), Washington must intensify its communication and review its strategy of cooperation in the Western Hemisphere. It cannot be stressed enough that this twenty first century form of slavery must end. In times of great industrial, economic and scientific progress it is simply embarrassing to revert to inhumane ideas of the centuries past.

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Sex Tourism and Trafficking in the Dutch Caribbean

Laughingly considered the world's oldest profession, prostitution and sex work are frequently intertwined with Caribbean tourism. Quintessential resort islands are often pictured with lithe, melanin-rich indigenous beauties on the arms of plump distinguished foreign men. In the majority of Caribbean islands, the purchase and sale of sex are illegal activities. The Dutch Antilles, however, provide a special opportunity for the commercial sex industry not legally available in the rest of the Caribbean. As present or former territories of the Netherlands, the Dutch Antilles fall under many of the same general laws as their mother country, including the controlled legalization of prostitution. The six Dutch-speaking islands are divided into two groups: Sint Maarten, Saba, and Sint Eustatius (the SSS Islands) and Aruba, Bonaire, and Curaçao (the ABC islands).

Although male, female, homosexual, and heterosexual prostitution in tourist-populated areas is rampant throughout the entire Caribbean region, only in the Dutch Antilles is the sex industry officially regulated, making it arguably safer than other Caribbean locales. St. Maarten and Curaçao are particularly prime locations for sex tourism as they house the two largest biggest brothels in the Dutch Caribbean. The largest, *Campo Alegre*, is located on Curaçao while the smaller Seaman's club is located on St. Maarten. Established in 1949, *Campo Alegre* fulfilled two needs for Curaçao. Before brothels were used, prostitution rings catered mostly to sailors, were run out of small bars and shops, and were openly visible throughout the island. The

brothel was a joint effort of the government and the Catholic Church, which financed a large portion of the start-up. Basically, the brothels allow prostitution to exist on the island, safely and highly regulated, while keeping it out of view of everyday citizens.

The Rules of the Game

The regulation of prostitution in the Dutch Antilles, though ostensibly stringent, is routinely abused, is appropriated, or ignored. For example, local women may not work in the brothels so they instead solicit sex from their homes. The regulation of prostitution resulted in a large importation of women, mostly from other countries of the Americas, to staff the brothels. *Campo Alegre's* website boasts having more than 120 "employees" in residence at any one time. These imported, lighter-complexioned women from the Dominican Republic and Colombia are often a sharp contrast to the Afro-Caribbean population of Curaçao—who are considered less desirable by the tourist population—and one therefore most often granted three-month prostitution visas. To comply with their visas and their contracts at the brothel, the women must register as prostitutes with the Vice and Morals Police Department and submit themselves to weekly STD and health check ups.

While this arrangement seems very neat and trim, there are a variety of less legal methods through which women become prostitutes. The visa application process is apparently fairly easy but not easy to understand, providing room for abuse. Frequently, women are trafficked by third parties, and many of them do not know that they are being sent into prostitution. Also, there have been reports of women having their passports taken by traffickers and then being required to pay

airfare and costly lodging rates on the island. The women are then held in a form of indentured servitude, as they are not allowed to leave the brothel until they settle their debts. Other locations on the island also participate in the sex trade. At some bars and dance clubs women are expected to engage in solicitation of sex with minimal standard compensation in order to deprive them of an economic option other than prostitution. Bars of this sort often employ foreign women who are not informed of this situation before beginning their position and as such, are subject to the whims of club owners and managers. These women are generally not on prostitution visas and are thus not subject to the Vice and Morals Department or weekly health checks, this is also the case for immigrant women whose local Antillean hus-



bands force them into prostitution in the bars. Not surprisingly, the bars and their clandestine prostitution operations are the most frequent violators of human rights.

Crime and Punishment

In a landmark case nearly 10 years ago, five women sued their employer for being recruited into prostitution in Curaçao under false pretenses. A woman from their home country of Colombia recruited them to work as waitresses on Curaçao, and when they arrived, they were expected to fulfill not only the waitressing role but also engage in prostitution. The women were subjected to multiple tactics indicative of human trafficking. Their traffickers/employers billed them for their airfare and did not give them a return ticket home for the end of their three-month stay. The women were expected to beg their clients to buy their return tickets home. Their passports were confiscated, and they were forbidden to communicate with their relatives. Additionally, the women were not given days off, were only provided with one meal per day, and were forced to buy their own condoms. Anything in addition to their daily sustenance had to be supplied by their clients. The court awarded the women the payment of the salaries they had been promised originally; however, the club owners were not even prosecuted for coercing and forcing the women into prostitution. This case further shows the government's apathy toward helping women who are involved in sex work. The judgment demonstrates the misguided view that the predicament of the women is an occupational hazard, and that although the women were entitled to proper compensation, nothing would be done to prevent future injustices.

Although there are a few avenues available those who feel they are improperly treated to seek help, they are frequently not viable. Law enforcement officials explain that the lack of aid is due to understaffing rather than a lack of empathy for the victims. The United States State Department lists Aruba and Curaçao as Tier 2 offenders in its 2012 Trafficking in Persons Report. The BES islands (Bonaire, Sint Eustasius, and Saba), which are official member states of the Netherlands, are considered Tier 1 since the Netherlands has stricter anti-human trafficking legislation and higher penalties for offenders. Similar to issues in many other Caribbean nations, Aruba and Curaçao have laws that modestly penalize trafficking in persons, but these laws are not always enforced. For instance, in its 2012 report, the U.S. State Department revealed that Curaçao prosecuted zero traffickers and rescued zero victims the previous year, which signifies an absence of appropriate steps to combat trafficking. The lax environment of Curaçao is ripe for trafficking so for the country to say

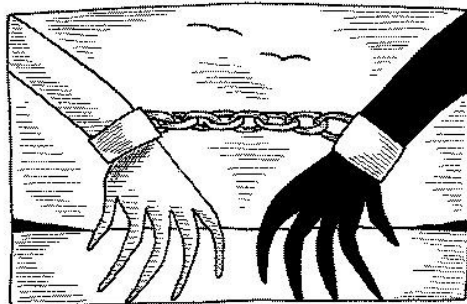
that no offenses occurred within the year is naïve and insulting to victims of the trade.

Conclusions and Recommendations

The legalization of prostitution in the Dutch Caribbean over a half century ago served a void at the time. However, it now enables a niche sex-tourism market and does not differentiate between willing and unwilling sex workers. Government and law officials often insinuate that they are not "proud" of the sex establishments located off the beaten paths of their islands but only feign interest in defending the rights of those working in the sex industry. Streetwalkers are rarely prosecuted as they are only registered and subjected to weekly health examinations. Furthermore, state and law officials are often knowledgeable of the non-lawful establishments in which women often engage in prostitution but maintain they have no way in knowing if these women are coerced — and do little to determine the truth.

As is frequently stated, the issue in the Dutch Caribbean is not corruption but ambivalence. The positions on the issue of sex work have been stagnant for years in the Dutch Antilles, with public demand for the industry overriding the human rights of the trafficking victims. Changes to the current mandates are necessary, but changes in the disposition of the government officials are imperative for any change to stick. The hopeful shift in the government should result in an increase of prosecutions, thus deterring prospective traffickers. There have, of course, been attempts to increase awareness throughout the Dutch Antilles. In conjunction with the International Organization for Migration (IOM) and the Aruban Anti-Human Trafficking and Smuggling Taskforce Aruba organized a week-long campaign in October highlighting instances of trafficking on the island. The IOM also helped facilitate similar campaigns in a few Anglophone islands yet the presence of similar initiatives in the Dutch speaking isles has been limited. The spread and influence of awareness campaigns are viable initiatives regarding the reduction of human trafficking in the Dutch Antilles. The circumstances in these islands can most be improved by an increase in citizen participation and lead to a complementary increase in government action. The initial legitimization of prostitution is significant, however the governments' need to recognize they have a responsibility to protect the rights of everyone within their shores, and not just their birthright citizens. While the industry maybe deemed morally criminal, it is lawful and thus deserves the same amount of policing as any other industry on the islands.

*This analysis was prepared by COHA
Research Associate Aleia Walker.*



Allyssa

Colombia and Peru Facing Mountainous Path to Eradicating Slavery

Colombia and Peru have more in common than the continent's longest mountain range. Today the two Andean nations face severe scrutiny from the international community as they attempt to deal with one of their most pervasive issues: human trafficking. According to the U.S. State Department, both Colombia and Peru are sources, points of transit, and destinations for men, women, and children subjected to forced labor and sex trafficking. The expanding rate of human exploitation shows that the impoverished people of these two Andean countries have been manipulated and abused as much as the land itself. The two countries face similar trafficking issues and both have achieved various levels of success in meeting international standards against human trafficking, but their governments' methods of prevention and prosecution differ.

Manipulation of the Poor

Colombians and Peruvians are often subjected to forced labor, particularly in the mining and agriculture industries. Lack of employment opportunities in both countries has driven many of their citizens into poverty, with many leaving their communities in search for work. In their quest for employment, many become vulnerable to human trafficking and exploitation. According to the United Nations High Commissioner for Refugees (UNHCR) 2012 Trafficking in Persons Report, groups at risk in Colombia for internal trafficking include internally displaced people, poor women in rural areas, indigenous communities, and relatives of members of criminal organizations. In Peru, indigenous peoples are especially prone to debt bondage, with many family members supplying traffickers with their children to work in the informal gold mines, offering rings, domestic service, and cocaine production and transportation. Children, naïve and defenseless, are major targets in the human trafficking business. There have been numerous reports in both Andean nations that terrorist groups, including the Revolutionary Armed Forces of Colombia (FARC) and the Shining Path have consistently recruited children into the bloody war of illegal narco-trafficking. In 2011, Colombian authorities identified 483 cases of children coerced into sex trafficking, and forced labor, and especially the illicit drug trade, by illegal armed groups. These organized criminal networks are guilty of manipulating their own relatives and acquaintances into becoming victims of modern-day slavery.



While Colombia has become a notorious destination for foreign child sex tourists from the United States, Europe, and other South American countries, Peru is considered to be more of the provider, or source, of trafficking victims and has the highest proportion of sex trafficking in South America. Women and children are often recruited and coerced into prostitution in Peru's urban and mining areas with false promises of employment opportunities and education. Many are sent to other South American countries, including Ecuador, Bolivia, and Argentina, to sell their sexual services in local nightclubs. A number of victims were found as far away as Indonesia last year. Nonetheless, the kidnapping, trafficking, and rape of women and children remain invisible crimes.

Prevention and Prosecution

In an effort to combat human trafficking, Colombia and Peru have partnered with various agencies including the International Organization for Migration (IOM) and the United Nations Office of Drug and Crimes (UNODC). These international organizations have provided much needed education to law enforcement and government officials in both countries. Additionally, IOM and UNODC

have worked closely with the governments of each to develop different types of prevention measures. In conjunction with the UNODC, the Colombian government created a special police force, the Division of Sexual Crimes, specifically trained to address the crimes of smuggling migrants and human trafficking. Along with specially trained police, the government has trained workers within all parts of the justice system and has even developed a National Unit of Human Rights within the public prosecutor's office, the focus of which is dealing with cases of trafficking in persons. While training

police and educating government officials are integral to the prevention and prosecution of human trafficking, raising awareness among citizens is also vital.

Educating the public is especially critical in Peru as the majority of human trafficking happens through the family. In 2006, a joint effort of the Inter-American Development Bank, the Ricky Martin Foundation, and the International Organization for Migration launched an informational campaign to prevent and protect the victims of human trafficking with the support of the Peruvian government's Interdisciplinary Task Force Against People Trafficking. The campaign included information presented through the media and written publications. The initiative also set up a hotline to provide free and confidential aid to victims, as well as direct tips to the anti-trafficking branch of the Peru-

vian National Police. Hotlines of this kind also have the potential to increase the government's awareness of trafficking cases and prosecution of the perpetrators. In 2005, Peru's hotline produced 200 cases related to human trafficking in a 10 month period during which over 7,000 calls were logged.

Nonetheless, still greater efforts encouraging prevention and improving prosecution are needed. In 2011, the government of Peru convicted a meager five offenders out of 199 potential trafficking cases. Colombia's record was slightly better: in 2011 authorities reported 56 new trafficking prosecutions and 16 convictions in transnational sex trafficking cases. While the number of total cases reported was lower, Colombia has a better record of prosecutions and convictions.

The low number of cases and convictions reflects the lack of education and investigation by the police and justice departments. Colombia and Peru can use and learn from their neighbors' initiatives to fill in the gaps of their measures against human trafficking. In Colombia's case, authorities have failed to identify and investigate trafficking victims due to the lack of effort and resources in inspecting the informal and illicit sectors of the market. An anonymous hotline, such as initiated in Peru, which allows victims or witnesses to name perpetrators, would improve Colombia's currently deficient investigation of the informal and illicit sectors of the market. Colombia can also learn from Peru's efforts of education and outreach to the public, and Peru can profit from Colombia's training of law enforcement and judicial officials.

Collaboration of international organizations with law enforcement agencies, such as the UNODC and Interpol, would greatly strengthen Peru's law enforcement capacities. The collaboration between the UNODC and Colombia has helped educate Colombian police and officials, and its effects can be seen in the higher amount of prosecutions. In continuing their efforts to combat human trafficking, Peru would do well to collaborate with an international law enforcement agency as Colombia has done.

While Colombia and Peru share high levels of human trafficking taking place within their countries, each has approached the problem differently. Colombia has worked with international law enforcement agencies to improve the education of its police and judicial officers, and has focused on educating its law enforcement. Peru has collaborated with international organizations to increase the education of the public as well as provide opportunities for victims to come forward. Separately, these efforts have not been impressive in relation to the amount of trafficking cases. However, taken together, the education of law enforcement and the public could produce significant change within Colombia and Peru.

This analysis was prepared by COHA Research Associates Kathleen Bacon and Jade Vasquez

Bolivia

In recent years, the number of Bolivians trafficked into neighboring countries for forced labor has risen rapidly, especially along its shared border with Argentina. For this reason, on November 12, 2011, representatives from both Bolivia and Argentina's ministries of justice agreed to launch a joint anti-human trafficking program, largely based upon the United Nation's 2007 Global Initiative to Fight Human Trafficking. The program's goals include improving the prevention of human trafficking, assisting victims, and refining the practices of their national security institutions in three major border cities: Villazón, Bermejo, and Yacuiba.

Although the Bolivian government has thus far failed to provide a comprehensive reintegration program for trafficking victims, its partnership with Argentina is a golden opportunity to reduce the impact of trafficking on rural families. A major feature of this program is its holistic strategy to mitigate the consequences of trafficking by financially supporting local administration and other non-governmental institutions that had previously provided services such as facilitating the restitution of victims' rights to secure effective reintegration into society and providing shelter for rescued victims — without government funding. The program also emphasizes the importance of raising national awareness about the risks and consequences of trafficking. Awareness campaigns will significantly reduce the number of notorious human trafficking practices in Bolivian rural areas by exposing a typical recruiting strategy used by traffickers. In this strategy, traffickers pose as so-called godfathers who falsely promise parents from rural communities that they will provide their children with food and education in the city. Instead, the children are illegally trafficked out of the country to be used for forced labor or commercial sex. Furthermore, to curtail trafficking offenders' freedom of movement in both countries, Bolivia and Argentina agreed that strengthening their border controls is a top priority.

This analysis was prepared by COHA Research Associate Isabella Troconis.

Panama

Given its geographical location between Colombia and Costa Rica, Panama is a prime source, transit, and destination location for trafficking in persons, primarily women and children for the pornography and sex trades, mainly within the country. Panama's vast income inequality along with its history of treating women as sexual objects creates a hostile environment for women and children seeking refuge in the country or en route to the U.S. This situation creates favorable conditions for recruiters who lure unprotected travelers into the sex trafficking industry under false pretenses, in which handlers then take the victim's passports and leave them no other work options. Although the government does not have a national commission to effectively address human trafficking, separate government

entities — such as CONAPREDES — work for the prevention of sexual crime in Panama. However, the government does not do enough to pursue justice for victims. Despite the fact that comprehensive anti-trafficking legislation was passed this year, the government did not encourage specialized services for victims, report numbers for assisted victims, or convict trafficking offenders.

The country's lack of effective oversight of the issue converges with other indicators of government apathy toward human rights in Panama, which could in turn benefit the trafficking industry. Recently, there have been riots in response to the public sale of State-owned land in the crucial duty free zone next to the Panama Canal. Private land ownership adjacent to a transit route could potentially contribute to the human trafficking industry by facilitating illegal border crossing if the government continues to passively encourage impunity for these crimes.

*This analysis was prepared by COHA
Research Associate Kate Hayden.*

Venezuela

Despite continued disregard of critical human rights violations such as human trafficking, Venezuela recently became the newest member of the U.N. General Assembly's Human Rights Council. According to the Trafficking Victims Protection Act, the country is currently ranked as a Tier 2 country, a classification created by the U.S. Department of State and applied to those countries that fail to fully comply with minimum protection standards. The Venezuelan government has thus far failed to publicly disclose the extent of the problem or provide a plan to combat it. Taking these shortcomings into consideration, it seems both paradoxical and irresponsible to grant Venezuela international authority in making crucial decisions regarding these matters.

The accession of Venezuela to the council may very well be seen as a consequence of the Obama administration's leniency towards countries that fail to adequately protect victims of human trafficking. One possible response for the United States would be to freeze U.S. foreign aid to countries that are not in compliance. However, rather than taking proactive measures, the Obama Administration has sanctioned a series of full and partial waivers to 13 nations, Venezuela included. These controversial waivers were granted on the argument that it was in the "national interest" of the United States that these countries did not lose access to aid, this despite poor records on human trafficking.

*This analysis was prepared by COHA
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